

**MINUTES OF THE THREE HUNDRED AND THIRTY FOURTH MEETING OF
THE LABOUR RELATIONS AGENCY BOARD HELD AT 10.00 AM
ON FRIDAY, 25 APRIL 2008
IN THE AGENCY'S OFFICES, 2-8 GORDON STREET, BELFAST**

Present: Jim McCusker (Chair)
Boyd Black
Julie Anne Clarke
Norma Heaton
Gordon Milligan
Patricia O'Farrell
Roden Ward
Peter Williamson
Brenda Maitland

In Attendance:
William Patterson (Chief Executive)
David McGrath (Director, Advisory Services)
Gerry O'Neill (Director, Corporate Services)
Anne Gunning (Minutes Secretary)

1. Apologies Action

There was an apology from Penny Holloway.

2. Minutes of Previous Meeting held on 31 March 2008

1. Apologies

It was noted that Brenda Maitland had apologised for the meeting on 31 March and it was not recorded in the minutes. This will be amended.

Secretariat

5.2 Finance & Personnel Sub-Committee Meeting held on 19 March 2008

Page 5, 2nd paragraph

To be amended by inserting the following after the first sentence:

'The Sub-committee decided to re-visit the legal advisors report on the Agency's equal pay situation in order to decide when the equal

pay audit should be carried out’.

Subject to the above amendments the minutes of the meeting held on 31 March 2008 were then proposed by Peter Williamson, seconded by Norma Heaton, and agreed as a true and accurate record of the meeting.

3. Matters Arising from the Previous Minutes not listed on this Agenda

3.1 LRA/LRC Joint Working Meeting

It was noted that the Chief Executive was awaiting an update from Kevin Foley, Labour Relations Commission on the proposed joint working agenda. Discussion followed on the potential for joint research with the LRC.

CEO

3.2 Date of October 2008 Board Meeting

The Chairman indicated that the International Agencies meeting being arranged in Cape Town this year was to be held on 22-25 October. It was agreed to change the date of the October Board Meeting to Thursday, 16 October commencing at 10.00am.

Secretariat

4. Chairman’s Business

4.1 Meeting with Minister 2 April 2008

4.1.1 LRA Business Case £4.5m

The Chairman reported on the meeting at which the Minister confirmed that the Agency budget for 2008/09 would be £3.2 m. There was no additional funding available. There might however be a possibility that following the Review of Dispute Resolution in Northern Ireland, an opportunity may arise to examine the possibility of additional resources outside of the CSR determination. Following discussion, it was agreed that the Review should be considered in two parts (1) action that required a change in employment legislation and (2) action that did not require a change in legislation, and for which some additional resources might be made available.

The Minister had also indicated that he would be open to attending informal meetings with the Agency in addition to regular formal meetings.

4.1.2 Management Statement/Financial Memorandum

The Minister indicated that the Agency’s suggested changes to the wording of the MS/FM would not be included and that DEL would be proceeding to implement the final version which would be forwarded to the CEO. It was agreed to discuss this issue under Item 5. Chief Executive’s Business.

CEO

4.1.3 Enquiry Point Additional Posts

The two additional posts proposed for the Agency Inquiry Point were not approved as additional funding to the £3.2m was not available.

4.1.4 DEL Review of Agency

The Minister indicated that the DEL Review of the Agency which was due 2008 would be postponed, owing to the Department's concentration on the Review of Dispute Resolution in Northern Ireland.

4.1.5 Employment Relations Skills Development

The Minister had agreed that the development of employment relations skills would make a considerable contribution to economic development. Following discussion the Board agreed that this topic should be developed with DEL.

CEO

4.2 LRA Board Vacancies

The Chairman distributed copies of the DEL appointments papers regarding current Board vacancies. It was noted that the advertisement for the appointment of three new Board Members would be appearing in the press week commencing 21 April. The closing date for applications would be 23 May 2008.

The Board was concerned that the Chairman had not been included in the interview panel as was usually the case. It was agreed to raise this with the Department.

CEO

4.3 Board Informal Meeting 24 April 2008 – Review of Dispute Resolution in Northern Ireland

It was agreed that this had been a useful meeting. The CEO distributed a record note setting out the progress made on LRA draft position. This included the items on which the Board had reached consensus and those areas which will require further consideration. Board members were invited to suggest in writing to the CEO any changes which they wished to have made to the record note.

**Board
Members**

4.4 Finance & Personnel Meeting – 9 April 2008

It was noted that, as well as a further discussion on CEO objectives, the meeting had considered the budget situation in light of the Chairman/CEO meeting with the Minister on 2 April. It was agreed that there was a need to revise the Corporate Plan 2008/11 and Business Plan 2008/09. It was noted that the revision would be discussed under Chief Executive's Business.

5. Chief Executive's Business

5.1 Management Statement/Financial Memorandum

The Board discussed a letter which had been received from Jim Hanna, DEL on 4 April, giving the position of DFP on the templates of the Management Statement/Financial Memorandum. DFP had rejected the amendments which the Board had proposed. Although the Board accepted that DFP/DEL are entitled to impose the MS/FM it was decided that the CEO should sign the MS/FM, but in addition should indicate that the signature did not represent agreement by the Board, and noting in particular the statement in paragraph 1.1.5 of the Management Statement that legislative provisions would take precedence over any part of the document.

CEO

5.2 DEL Pre-Consultation Exercise – Improving Methods for Dealing with Workplace Disputes – LRA Response to Pre-Consultation Exercise

It was noted that the CEO is awaiting a response to his letter to Tom Evans, DEL. The letter to DEL set out the Agency's response to the DEL Pre-Consultation exercise.

The agreement at paragraph 4.1 above was noted.

Following discussion it was agreed that a succinct briefing paper on the pros and cons of options would be helpful. It was also agreed that working with DEL would be an advantage in developing the Agency policy position.

CEO

5.3 Research – DEL Response 19 March 2008-05-01

The CEO referred to the letter from David McAuley, DEL which rejected the LRA business case for the submitted research proposal. The CEO then referred to the proposed development of LRA/LRC joint working/research. There are four areas agreed (1) Migrant workers (2) Cross border transposition of the Information and Consultation Directive (3) The law in NI and ROI regarding Fixed Term Contracts and (4) Working Time regulations in ROI and NI.

After discussion, it was agreed that modest research proposals targeted at specific business objectives should be the way forward for research, using the £71k of carry over for 2008/09 and that the matter be referred to a re-constituted Research committee. Board members are to forward to the CEO any further suggestions for Research.

**Board
Members**

It was noted that the Research Committee had not been consulted about the LRA Business Case for a Research Proposal. The DCS

explained that after the Board Meeting on 31 January, the previous Chairman had instructed him to forward the Business Case to the Department that day, which gave no opportunity for consultation.

It was agreed that the following comprise the Research Committee:
Jim McCusker; Norma Heaton; Boyd Black; Bill Patterson and David McGrath.

5.4 Draft Corporate Plan 2008/2011

It was noted that the draft Corporate Plan had been revised in light of comments by the Minister.

The amendments were discussed by members and further revisions were agreed. The CEO will revise the plan and, subject to agreement with the Chairman, forward the plan to DEL for approval.

CEO

5.5 Draft Business Plan 2008/09

It was noted that the draft Business Plan had also been revised in respect of the budget shortfall. After discussion the CEO agreed to make further amendments to the Business Plan and subject to agreement with the Chairman forward the plan to DEL for approval.

CEO

5.6 Monthly Management Report

Chief Executive

IiP

The CEO reported that he will be meeting with Mary O'Brien the following week to discuss the meeting she had had with Eric Jenkinson, particularly with regard to the recent Staff Survey.

CEO

JNCC

The CEO reported that at the JNCC meeting on 17 April, it had been agreed to have a JNCC Away Day on 12 May when consideration will be given to taking forward internal industrial relations.

CEO

Staff Conference 7 March 2008

CEO agreed to bring a report to the next meeting on the reasons why some staff did not attend the conference.

CEO

European Mediation Conference

CEO reported that a number of staff had attended the conference in the Waterfront Hall. This had been a useful opportunity for staff to attend an international mediation conference and to learn more about world of conflict resolution and mediation. The CEO felt that the conference provided assurance on the high quality of dispute resolution skills within the Agency.

Director (Advisory Services)

The DAS highlighted the Agency survey of Advisory Services which had recently commenced. It was noted that the report should be available by the end of May.

DAS

It was noted that the seminar on 17 April regarding ICE was heavily over-subscribed. A second seminar is to be arranged.

DAS

The presentation of an LRA award to the student who achieved the best dissertation in MSc in Human Resource Management was discussed. Board members felt that this was a good PR opportunity.

Director (Corporate Services)

The DCS confirmed that PR services to the Agency are to be reviewed in the near future. A specification will be submitted to the Board.

CEO/DCS

6. Corporate Correspondence Received Relevant to Board

- 6.1** Letter dated 19 March 2008 from David McAuley, DEL to CEO re Research Proposal

Already discussed at 5.3 above.

7. Any Other Business

- 7.1** Business Eye Article on “Mediation..Making it easier to resolve disputes” - *Penny Holloway*

Noted.

7.2 Gus Close

It was noted that Gus Close, DEL, is to retire at the end of April. The CEO indicated that Gus had been one of the first civil servants to work with the Agency in the mid-1970s. He had always been very supportive of the Agency. The CEO will be attending a retirement function for Gus and it was agreed that he would take best wishes to Gus from the Agency.

CEO

8. Date of Next Meeting

The next meeting of the Board was scheduled to take place on **Thursday, 22 May 2008 at 10.00 am in the Agency’s offices, Gordon Street.**